

230935

**DENVER & RIO GRANDE RAILWAY  
HISTORICAL FOUNDATION**

A COLORADO 501 (C)(3) NOT-FOR-PROFIT CORPORATION  
FEDERAL TAX ID #: 84-1433680  
COLORADO CHARITABLE REGISTRATION #: 20023005766

SEP 9 2011

September 1, 2011

Ms. Cynthia L. Brown  
Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street, S.W.  
Washington, D.C. 20423-0001

ENTERED  
Office of Proceedings

SEP 09 2011

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Public Record

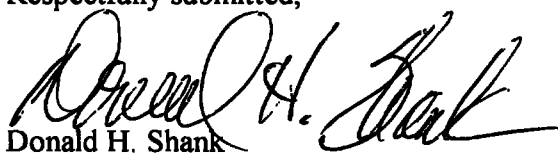
**RE: FD 35496, Denver & Rio Grande Railway Historical Foundation's  
Petition for a Declaratory Order**

Dear Ms. Brown:

Enclosed please find copies of my Certificate of Service regarding my request for *Leave* to late file a Response to the "Reply(s) in Opposition" filed by John D. Heffner, PLLC in behalf of San Luis & Rio Grande Railroad and Eugene L. Farish, P.C. in behalf of the City of Monte Vista, CO.

Further, please accept my sincere apology for the procedural error in omitting the CC's to Messrs Heffner and Farish. I have since been educated in the proper protocol.

Respectfully submitted,



Donald H. Shank  
President & Executive Director

CC: Barbara Saddler

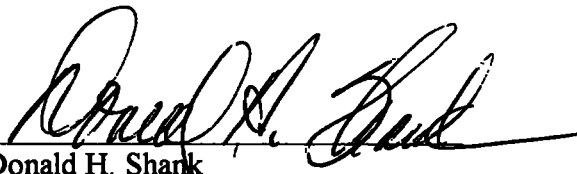
FOUNDATION OFFICE: 20 N. BROADWAY ST., MONTE VISTA, CO 81144  
SOUTH FORK DEPOT: 97 PONDEROSA DRIVE, SOUTH FORK, CO 81154  
TEL: 719-852-7000 S.F. DEPOT: 719-873-2003 Email: [drgrhf@yahoo.com](mailto:drgrhf@yahoo.com)  
VISIT US ON THE WEB: [www.denverandriogranderailroad.com](http://www.denverandriogranderailroad.com)

## **CERTIFICATE OF SERVICE**

I, Donald H. Shank, hereby certify that I have mailed a copy of the request for *Leave* to late file a Response to San Luis & Rio Grande Railroad's and the City of Monte Vista's "Reply in Opposition" to Denver & Rio Grande Railway Historical Foundation's Petition for Declaratory Order (FD 35496) to the following parties by first class U.S. Mail this 1<sup>st</sup> day of September 2011:

John D. Heffner  
John D. Heffner, PLLC  
1750 K Street, N.W.  
Suite 200  
Washington, D.C. 20006

Eugene L. Farish, P.C.  
739 1<sup>st</sup> Avenue  
Monte Vista, CO 81144

  
Donald H. Shank